

U.S.S.N. 09/229,226
Filed: January 12, 1999
REPLY BRIEF

(9) SUMMARY AND CONCLUSION

For the foregoing reasons and those in the Appeal Brief, Appellant submits that the claims 1-33 are patentable.

Respectfully submitted,

Rivka D. Monheit

Rivka D. Monheit
Reg. No. 48,731

Date: July 21, 2003

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Reply Brief, and any documents referred to as attached therein, are being facsimile transmitted on this date, July 21, 2003, to the Commissioner for Patents, U.S. Patent and Trademark Office, Alexandria, VA 22313-1450.

Pam Turnbough
Pam Turnbough

Date: July 21, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mark R. Prausnitz, Jin Liu and Thomas N. Lewis

Serial No: 09/229,226

Art Unit: 3737

Filed: January 12, 1999

Examiner: R. Smith

For: *ASSESSMENT AND CONTROL OF ACOUSTIC TISSUE EFFECTS*

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR ORAL HEARING

Sir:


Pursuant to 37 C.F.R. § 1.194, Appellants respectfully request an oral hearing in the Appeal to the Board of Appeals from the Examiner's Answer mailed May 19, 2003, finally rejecting claims 1-33 in the above-identified application.

The Commissioner is hereby authorized to charge Deposit Order Account No. 50-1868 in the amount of \$140.00, the fee for filing a Request for Oral Hearing before the Board of Patent Appeals and Interferences, by a small entity as specified in 37 C.F.R. § 1.17(d). It is believed that no other fee is required. However, should a fee be required, the Commissioner is hereby authorized to charge any additional fee, or credit any overpayment in connection with this

U.S.S.N.: 09/229,226
Filed: January 12, 1999
REQUEST FOR ORAL HEARING

matter, to Deposit Order Account No. 50-1868. To facilitate this process, a duplicate of this Request for Oral Hearing is enclosed.

Respectfully submitted,



Rivka D. Monheit
Reg. No. 48,731

Date: July 21, 2003

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ATL1 #585616 v1

GTRC 1957
077639/00002

2403-140.02

PTO/SB/17 (01-03)

Approved for use through 04/30/2003, OMB 0861-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 140.00

Complete if Known

Application Number	09/229,226
Filing Date	January 12, 1999
First Named Inventor	Mark R. Prausnitz
Examiner Name	R. Smith
Art Unit	3737
Attorney Docket No.	GTRC 1957

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
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Deposit Account Number	50-1868
Deposit Account Name	Holland & Knight LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$).00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
33	-33	0 X	.00
2	-3**	0 X	.00

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$).00

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	140.00
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 140.00

SUBMITTED BY

Name (Print/Type)	Rivka D. Monheit	Registration No. (Attorney/Agent)	48,731	Telephone (404) 817-8514
Signature	<i>Rivka D. Monheit</i>	Date	July 21, 2003	

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077638/00002

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*Holland & Knight LLC
**Representative Office

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CITY	STATE	(TELEPHONE NUMBER)

FROM: Pam Turnbough for

Rivka D. Monheit	404-817-8514	13
NAME	TELEPHONE	TOTAL PAGES (Including Cover Sheet)

FOR THE RECORD:

DATE: July 21, 2003 URGENCY: ☐ SUPER RUSH ☒ RUSH ☐ REGULAR

FAXED BY: FILE #: 077639/00002 CLIENT NAME: GTRC 1957

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MESSAGE:**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Mark R. Prausnitz, Jin Liu and Thomas N. Lewis

Serial No: 09/229,226 Art Unit: 3737

Filed: January 12, 1999 Examiner: R. Smith

For: **ASSESSMENT AND CONTROL OF ACOUSTIC TISSUE EFFECTS**

PTO/SB/21 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/229,226
	Filing Date	January 12, 1999
	First Named Inventor	Mark R. Prausnitz
	Art Unit	3737
	Examiner Name	R. Smith
	Attorney Docket Number	GTRC 1957
Total Number of Pages in This Submission	12	

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Oral Hearing
Remarks		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Rivka D. Monheit, Esq., Reg. No. 48,731 Holland & Knight LLP Suite 2000, One Atlantic Center, 1201 West Peachtree Street, N.E.; Atlanta, GA 30309-3400
Signature	<i>Rivka D. Monheit</i>
Date	July 21, 2003

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>July 21, 2003</u>	
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